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IN THE

Supreme Court of the United States.

OCTOBER TERM, 1906.

No. 493.

FREDERICK SEYMOUR BARRINGTON, PLAINTIFF IN ERROR,

vs.

THE STATE OF MISSOURI.

Motion for Leave to Proceed in Forma Pauperis.

WM. G. JOHNSON,
Counsel for Plaintiff in Error.

LAW REPORTER PRINTING CO., WASHINGTON, D. C.

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vs.

THE STATE OF MISSOURI.

Comes now Frederick Seymour Barrington, plaintiff in error, in the above-entitled cause, by William G. Johnson, his counsel of record, and moves the Court to pass an order allowing the plaintiff in error to proceed herein in forma pauperis, and that the record be printed at the public expense and for cause of said motion shows:

That the plaintiff in error is now under sentence of death, as appears by the record herein. That a writ of error to review the judgment in the cause rendered by the Supreme Court of the State of Missouri, the highest court of said State, was duly allowed by the chief justice of said Court, and that the transcript of record has been filed herein in obedience to said writ of error. That the plaintiff in error is a poor person, wholly without means

to pay any of the costs in this proceeding, as appears by the affidavits filed herewith.

Respectfully submitted,

WM. G. JOHNSON,
Counsel for Plaintiff in Error.

IN THE SUPREME COURT OF THE UNITED STATES.
October Term, 1906.

No. 493.

FREDERICK SEYMOUR BARRINGTON, PLAINTIFF IN ERROR,

vs.

THE STATE OF MISSOURI.

STATE OF MISSOURI, }
County of St. Louis, } *ss:*

Wilfred Jones, being first duly sworn, deposes and says that he is a member of the bar of the Supreme Court of the State of Missouri, and acted as counsel for Frederick Seymour Barrington, the plaintiff in error in the above entitled cause. That he represented him in the trial court, in the proceedings in which he was convicted, and also in the Supreme Court of the State, and still represents the said plaintiff in error. That he has been counsel for the plaintiff in error since January 9, 1904, and during all that time has had the opportunity to know of the financial condition of the plaintiff in error, and knows that he is not possessed of any property or money, and is without the means of obtaining any money. That this affiant has represented the plaintiff in error throughout the proceedings without compensation

and that such costs as have been necessary to be paid, including the cost of the transcript of record upon this writ of error, have been supplied by strangers to the plaintiff in error as charitable contributions to enable him to maintain his defense and that such sums so supplied have now been completely exhausted in furthering this appeal.

WILFRED JONES.

Subscribed and sworn to before me this 27th day of Nov. 1906.

THOS. W. WINER,
Clerk of Circuit Court,
St. Louis Co., Mo.
Per J. A. TACKETT, *Depty. Clerk.*

[Seal of Court.]

IN THE SUPREME COURT OF THE UNITED STATES.

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FREDERICK SEYMOUR BARRINGTON, PLAINTIFF IN ERROR,

vs.

THE STATE OF MISSOURI.

STATE OF MISSOURI,
County of St. Louis, } *ss:*

Frederick Seymour Barrington, being first duly sworn, deposes and says: That he is the plaintiff in error named in the above entitled cause, and that he is now under sentence of death for the crime of murder in the first degree, whereof he has been adjudged guilty by the judgment in this cause. That this affiant is absolutely

without any property, money, or means of obtaining money for the purpose of defraying the costs of prosecuting the writ of error in this cause, his particular situation being as follows:

Since his arrest in this cause he has been without any sums of money to make his defense, and what small sum he had in his possession when so arrested was soon expended in sustaining himself while in jail, and that his counsel have been compelled to carry on his defense without any compensation whatever and are so continuing to do in this present appeal; and that he has no relatives or other persons on whom he could rely who are financialy able to bear this expense. Affiant further states that but for the friendly aid of strangers to himself, he would not have been able to procure the transcript of record required to be furnished upon this writ of error, the cost of which was defrayed by a charitable contribution made in this affiant's behalf.

FREDERICK SEYMOUR BARRINGTON.

Subscribed and sworn to before me this 27th day of Nov. 1906.

THOS. W. WINER,
Clerk of Circuit Court.
Per J. A. TACKETT, *Depty. Clerk.*

[Seal of Court.]